

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION**

**NORMA LOZANO AND  
CORI CHALE CONTRERAS**

**vs.**

**GERALDO GONZALES AND  
BT FREIGHT LINES, INC.**

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**CIVIL ACTION NO. 5:17-cv-159**

**NOTICE OF REMOVAL OF DEFENDANT BT FREIGHT LINES, INC.**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS:

Pursuant to 28 U.S.C. §§ 1332 and 1441(a), Defendant BT FREIGHT LINES, INC. hereby removes this action to the United States District Court for the Southern District of Texas from the 49<sup>TH</sup> Judicial District Court of Zapata County, Texas, stating as follows:

1. Plaintiffs, NORMA LOZANO and CORI CHALE CONTRERAS, commenced this action in the 49<sup>TH</sup> Judicial District Court of Zapata County, Texas, where it was given Cause No. 9,910. This action is between citizens of different states. Plaintiffs are residents of Texas. Defendant BT FREIGHT LINES, INC. is incorporated in California, and has its principal place of business in San Bernardino, California. Defendant GERALDO GONZALES is a resident of Arizona. Further, Plaintiffs claim damages for serious personal injury and allege damages exceeding \$1,000,000. Accordingly, this Court has original jurisdiction under 28 U.S.C. § 1332.
2. Defendant BT FREIGHT LINES, INC. received the summons and complaint on July 17, 2017, so this removal is timely under 28 U.S.C. § 1446(b).
3. A copy of all process, pleadings, and orders served upon Defendant are attached as Exhibit A.

4. Defendant has provided written notice of this Notice of Removal to all adverse parties and has filed a copy with the Clerk of the 49<sup>th</sup> Judicial District Court of Zapata County, Texas.

Dated: August 16, 2017.

Respectfully submitted,

/s/ Whitney S. Broadwater

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**ATTORNEY FOR DEFENDANTS**

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of August, 2017, the foregoing was filed with the Clerk of Court using the CM/ECF system, and was served on counsel as follows:

#### **VIA ELECTRONIC MAIL**

Osiris A. Gonzalez

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/s/ Whitney S. Broadwater

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